

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

FELECIA MYERS,
Plaintiff,

V.

STAFF ONE OF OKLAHOMA, LLC,
Defendant.

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Civil Action No. _____

PLAINTIFF’S ORIGINAL COMPLAINT

I. Parties

1.01. Plaintiff FELECIA MYERS (“Myers”) is an individual who resides in Tarrant County, Texas.

1.02. STAFF ONE OF OKLAHOMA, LLC (“Staff One”) is a domestic corporation formed in and under the laws of the state of Texas; it may be served with process by serving its registered agent for service of process, Cogency Global Inc., 1601 Elm St. Ste. 4360, Dallas, TX 75201.

II. Jurisdiction

2.01. The Court has jurisdiction over the lawsuit pursuant to 28 U.S.C. § 1331, as the action arises under the Age Discrimination in Employment Act, the Civil Rights Act of 1866 and Title VII of the Civil Rights Act of 1964 (“Title VII”), as amended, 42 U.S.C. § 2000e *et seq.*

III. Venue

3.01. Venue is proper in the Northern District of Texas, Fort Worth Division, pursuant to 28 U.S.C. § 1391(c) as Staff One is subject to personal jurisdiction in the Fort Worth Division of the Northern District of Texas.

IV. Factual Background

4.01. Myers began working for Staff One on or around August 20, 2007.

4.02. Myers was promoted to Lead Prevention Educator II on April 10, 2018.

4.03. Myers is a 59 year old African American female.

4.04. Evie Scrivner, Caucasian female, early 30s, was the Chief Financial Officer at the time of Myers termination.

4.05. Becky Vance, Caucasian female, was the Chief Executive Officer at the time of Myers termination.

4.06. Patricia Sterling, was the Director of Operations during the time Myers was employed by Staff One. Patricia Sterling stated she believes African American employees are treated differently.

4.07. Josie Prachyl, a 42 year old Caucasian female, was Director of Programming and Myers direct supervisor.

4.08. Angela Farr, Intern Program Director, spoke to Sterling in 2017, about the discriminatory treatment of African American employees.

4.09. Myers was terminated for alleged forged documents, using white out on reporting

forms, incorrect match reporting, inaccurate sign in sheets, and incorrect service area reporting.

- 4.10. The documents that Myers was alleged to have forged were not signed by Myers', but were signed and turned into Staff One by Josie Prachyl.
- 4.11. The documents Prachyl turned in to be applied to the grant were not the same documents Myers turned into Prachyl.
- 4.12. Prachyl was not terminated for alleged forged or altered documents, although the documents Myers was alleged to have forged were signed by Prachyl. Prachyl was moved to a different position, shortly before Myers was terminated.
- 4.13. Prachyl stated from the time Scrivner and Sterling were in leadership positions, they terminated a majority of the African American employees. Prachyl in a statement dated September 23, 2019 said, "I believe they are racist since they took over leadership they have fired or made people leave and without cause - at least all of the African American employees that worked for them,"
- 4.14. Myers was terminated on July 1, 2019, because of her race and age.

V. Exhaustion of Administrative Procedures

5.01. Myers has timely filed with the Equal Employment Opportunity Commission ("EEOC") a charge of discrimination against Staff One. Myers received a Notice of Right to Sue from the EEOC within 90 days of the filing of this Complaint. A true and correct copy of the Notice of Right to Sue and charges of discrimination are attached collectively as

Exhibit “A” and incorporated herein.

VI. Title VII

- 6.01. Myers, an African American female, is a member of a protected class under Title VII and the Civil Rights Act of 1866.
- 6.02. Staff One is an employer who is covered by Title VII and the Civil Rights Act of 1866.
- 6.03. Myers was terminated due to her race in violation of Title VII and the Civil Rights Act of 1866.
- 6.04. Staff One’s acts of discrimination were performed with malice and reckless disregard for Myers’ protected civil rights.

VII. ADEA

- 7.01. Myers, age 59, is a member of a protected class under the ADEA.
- 7.02. Staff One is an employer who is covered by the ADEA
- 7.03. Myers was terminated due to her age in violation of ADEA.
- 7.04. Staff One’s acts of discrimination were performed with malice and reckless disregard for Myers’ protected civil rights.

VIII. Damages

- 8.01. Myers has suffered the following injuries as a direct and proximate result of Staff One’s conduct:
 - a. loss of past wages;

- b. loss of future wages;
- c. loss of benefits; and
- d. emotional distress and mental anguish in the form of insomnia and depression.

IX. Attorney Fees

9.01. Myers is entitled to an award for attorney fees and costs under the ADEA and Title VII.

X. Demand for Jury

10.01. Myers requests a trial by jury for all issues so triable.

XI. Prayer

11.01. PREMISES CONSIDERED, Plaintiff respectfully requests judgments against Defendant for:

- a. Back pay in an amount in excess of the jurisdictional limits;
- b. Front pay in an amount in excess of the jurisdictional limits;
- c. Compensatory damages for mental anguish, emotional distress, inconvenience, past pecuniary losses and loss of enjoyment of life;
- d. Compensation for lost benefits;
- e. Punitive damages due to Defendant's intentional conduct;
- f. Attorney's fees incurred herein and in any proceeding before the United States Court of Appeals for the Fifth Circuit and the United States Supreme Court;
- g. Costs of court;

- h. Pre-judgment and post-judgment interest on the above amounts;
- i. All other legal and equitable relief to which Plaintiff may show herself justly entitled.

Respectfully submitted,
Law Offices of Christian Jenkins, P.C.

/s/ Christian Jenkins
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